

Message Text

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ACTION IO-14

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TO SECSTATE WASHDC 6226

UNCLAS SECTION 01 OF 02 GENEVA 02687

E.O. 11652: N/A

TAGS: SNAR, UN

SUBJECT: COMMISSION ON NARCOTIC DRUGS: ITEM 5 -
IMPLEMENTATION OF TREATIES; ANNUAL REPORTS OF GOVERNMENTS

1. RATIFICATIONS AND ACCESSIONS TO THE TREATIES. TO DATE THERE ARE 110 PARTIES TO THE 1961 CONVENTION, 49 PARTIES TO THE 1971 CONVENTION AND 60 PARTIES TO THE 1972 PROTOCOL. DISCUSSION FOCUSED ON A NUMBER OF COUNTRIES WHICH INTENDED TO RATIFY 1971 CONVENTION. MOST IMPORTANT WERE UK, ITALY, IRAN. USSR STUDYING POSSIBILITY. FRANCE SUGGESTED THAT CND SHOULD FIND OUT IF DELAYS IN RATIFICATION ARE DUE TO ADMINISTRATIVE CONCERNS OR PRESSURES EXERTED BY MANUFACTURERS. SUPPORTED BY TUNISIA, MOROCCO, SPAIN AND SENEGAL. KENYA IS RELUCTANT TO BECOME PARTY BECAUSE MANY MAJOR MANUFACTURERS, ESPECIALLY IN WESTERN EUROPE, HAVE NOT DONE SO. IT APPEARS THAT STRONG US COMMITMENT TOWARD RATIFICATION IS HAVING A POSITIVE EFFECT ON OTHER MANUFACTURING COUNTRIES.

2. LEGAL ASSISTANCE. FALCO STATEMENT SUPPORTS PROVISION OF LEGAL AND ADMINISTRATIVE ASSISTANCE TO GOVERNMENTS TO HELP WITH TREATY IMPLEMENTATION. CALLS FOR
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CONTINUATION AND EXPANSION OF DIVISION AND BOARD SECRETARIAT ACTIVITIES IN THIS AREA. STATEMENT OFFERS TO SUPPLY PAPER ODAF IS HAVING PREPARED ON IMPLEMENTATION OF PSYCHOTROPIC CONVENTION. IN PRIVATE DISCUSSIONS WITH CANADIANS, DND AND WHO STAFF IT APPEARS THAT IT MAY BE PUBLISHED IN THE BULLETIN ON NARCOTICS.

3. TRANSFER OF SMALL QUANTITIES OF DRUG SAMPLES SEIZED IN THE ILLICIT TRAFFIC. INCB AND UN LEGAL OFFICE AGREE THAT THESE TRANSFERS ARE NOT INTERNATIONAL TRADE AND ARE NOT SUBJECT TO IMPORT/EXPORT CONTROLS UNDER ARTICLE 31 OF 1961 CONVENTION. THIS WOULD ALLOW FASTER MOVEMENT AND BETTER ACTION AGAINST ILLICIT TRAFFIC. USSR OBJECTS BECAUSE NO DEFINITION OF SMALL QUANTITIES. NOT DIFFICULT TO USE ARTICLE 31 AND IT COULD LEAD TO BREAKDOWN IN DRUG CONTROL. FRANCE AGREES ON DEFINITION PROBLEM. FRG WANTS QUICKER TRANSFERS AND OUTLINES PROCEDURE WHEREBY FOUR COPIES OF AN AGREED UPON FORM WOULD BE SENT TO INTERESTED PARTIES. FRG CALLS FOR A WORKING GROUP TO MEET DURING CND. UK, MEXICO, FRANCE, ITALY, TURKEY SUPPORT BOARD AND LEGAL OFFICE INTERPRETATION AND AGREE TO WORKING GROUP. YUGOSLAVIA MOVES TO SUSPEND DISCUSSION AND FORM GROUP. COMMISSION AGREES. JOHN CUSACK (DEA) ELECTED CHAIRMAN OF WORKING GROUP WHICH MET 16 FEB P.M. GROUP AGREES TO SUPPORT BOARD AND LEGAL OFFICE'S INTERPRETATION BUT DOES NOT SET UP ANY FORMAL REPORTING SYSTEM OR PROCEDURE, ALLOWING COUNTRIES TO DETERMINE FOR THEMSELVES MEANS OF EFFECTING TRANSFERS.

4. CHANGES IN CONTROL. CND AGREES TO WHO RECOMMENDATIONS TO INCLUDE SALTS OF PSYCHOTROPIC SUBSTANCES IN SCHEDULES I TO IV AND CONTROL ONLY SEVEN ISOMERS OF UNCLASSIFIED

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TETRAHYDROCANNIBINOLS.

5. EXEMPTIONS OF PREPARATIONS. CND APPROVES SECRETARIAT REQUEST TO BE ALLOWED TO CONTACT GOVERNMENTS REGARDING THEIR EXPERIENCES WITH PSYCHOTROPIC SUBSTANCES PREPARATIONS EXEMPTED FROM SOME CONTROLS. ALSO SUGGESTS THAT WHO AND DND START TO DEVELOP GENERAL STANDARD GUIDELINES FOR CONTROL OF EXEMPTED PREPARATIONS.

6. PROHIBITION OF IMPORT/EXPORT. CND APPROVES SECRETARIAT REQUEST TO BE ALLOWED TO CONTACT PARTIES TO 1971 CONVENTION TO FIND WHETHER THEY HAVE PROHIBITED THE IMPORT OR EXPORT OF ANY PSYCHOTROPIC UNDER ARTICLE 13.

7. WARNING LABELS AND ADVERTISING. ON THE BASIS OF THE WHO REPORT A NUMBER OF DELEGATIONS COMMENTED ON THE EFFECTIVENESS OF WARNING LABELS FOR DOCTORS AND PATIENTS. CONSENSUS WAS THAT THERE WAS NOT ENOUGH KNOWN REGARDING THEIR USEFULNESS. CHAIRMAN SUGGESTED THAT WHO INFORM GOVERNMENTS OF THEIR RECOMMENDATIONS (FOUND IN MNH/78/1) ALTHOUGH THERE WAS NO TREATY OBLIGATION TO FOLLOW THEM.

8. DRUGS IN FIRST-AID KITS. US DELEGATION CALLED FOR

COMBINATION OF GUIDELINES RELATING TO NARCOTICS AND PSYCHOTROPICS AND REQUEST THE SECRETARIAT TO PRESENT CLEAR RECOMMENDATIONS AT NEXT SESSION AFTER INTERNATIONAL CONSULTATION. CHAIRMAN AGREES.

9. RESOURCES. US DELEGATION CALLS FOR GREATER RESOURCES FROM REGULAR BUDGET TO PERFORM ADDITIONAL REGULAR DUTIES UNDER CONVENTION. USSR WANTS ALL NEW INITIATIVES HANDLED WITHIN EXISTING RESOURCES.

10. ANNUAL REPORTS OF GOVERNMENTS. REPORT DESCRIBES TRENDS IN 1976 IN THE FOLLOWING AREAS: PARTICIPATION

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IN INTERNATIONAL TREATIES (SEE ABOVE), LAWS AND REGULATIONS (30 PERCENT OF ALL STATES REPORTING ENACTED NEW DRUG LAWS), ADMINISTRATIVE ARRANGEMENTS (MORE CENTRAL COORDINATING BODIES), PRODUCTION (NO CHANGE), MANUFACTURE (INCREASED NUMBER BUT WITH IMPROVED CONTROLS), DOMESTIC AND INTERNATIONAL TRADE (SATISFACTORY CONTROL), PROHIBITIONS (AMPHETAMINES IN TURKEY AND UPPER VOLTA AND NARCOTICS CULTIVATION IN SE ASIA) AND LEGAL AND SOCIAL MEASURES (MORE COUNTRIES TREAT DRUG OFFENSES IN SPECIAL COURTS, 60 PERCENT REPORTING ALLOW TREATMENT AND REHABILITATION IN LIEU OF OR IN ADDITION TO PUNISHMENT). DEBATE CENTERED ON ADDITIONAL LEGAL AND CONTROL MEASURES TAKEN IN COUNTRIES NOT REPORTED IN DOCUMENT. SOUTH AFRICA, SENEGAL, HUNGARY, LEBANON, ITALY, UK, USSR, ARGENTINA AND TURKEY SPOKE. MOST INTERESTING COMMENTS CONCERNED THE SOVIET PROTEST OF THE INCLUSION OF THE FEDERAL HEALTH OFFICE IN WEST BERLIN IN THE LIST OF INSTITUTIONS WHICH COULD PUBLISH CERTAIN DOCUMENTS

AND THE TRIPARTITE RESPONSE (THIS IS DISCUSSED IN
SEPTEL) AND ARGENTINA'S POINTING OUT THAT THE DOCUMENT
LISTING THE FALKLAND ISLANDS SHOULD ONLY USE THE
SPANISH TERM, MALVINAS. VANDEN HEUVEL

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